

Amendment under 37 CFR § 1.111  
Application No. 10/776,342  
Attorney Docket No. 042082

## **REMARKS**

### **Allowable Claims**

Applicants gratefully acknowledge that claims 2 and 3 were merely objected to as depending from a rejected base claim, but are otherwise allowable.

### **Rejections under 35 USC §102(b)**

**Claim 1 was rejected under 35 USC §102(b) as being anticipated by international application (WO 03/019085).**

Claim 1 has been amended to incorporate the recitation of claim 2, i.e., “control means for controlling the number of revolutions of the compressor, wherein the control means controls the number of revolutions of the compressor so that the temperature and the pressure of the refrigerant are kept to prevent the refrigerant from condensing at the output of the intermediate cooling circuit.”

Because the Examiner indicated that the subject matter of claim 2 was allowable, this amendment places the application in condition for allowance.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

Amendment under 37 CFR § 1.111  
Application No. 10/776,342  
Attorney Docket No. 042082

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read "Sadao Kinashi", written in a cursive style.

Sadao Kinashi  
Attorney for Applicants  
Registration No. 48,075  
Telephone: (202) 822-1100  
Facsimile: (202) 822-1111

SK/sg

Q:\2004\042082\042082 amd 1.doc